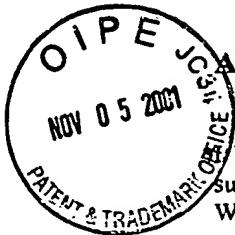


Rev. 06/26/2001



Attorney Docket No: NDIS-002/01US

PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on _____

By: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Eric L. SCHWARTZ, et al.

Serial No.: 09/917,228 Examiner: Not Assigned

Conf. No.: 9201 Art Unit: 2171

Filed: July 27, 2001

For: **METHOD AND APPARATUS FOR ANALYZING A PATIENT MEDICAL INFORMATION DATABASE TO IDENTIFY PATIENTS LIKELY TO EXPERIENCE A PROBLEMATIC DISEASE TRANSITION**

Commissioner for Patents
Washington, D.C. 20231

POWER BY ASSIGNEE AND STATEMENT UNDER 37 C.F.R. §3.73(b)

The Assignee of the entire right, title, and interest in the above-identified application hereby grants the registered practitioners of Cooley Godward LLP included in the Customer Number provided below power to act, prosecute, and transact all business in the U.S. Patent and Trademark Office in connection with this application, any applications claiming priority to this application, and any patents issuing therefrom.

The Assignee certifies that to the best of its knowledge and belief it is the owner of the entire right, title, and interest in and to the above-identified application as evidenced by:

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110201/1543

Daniel M Schwartz MD

(415) 514-1488

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 Application Serial No.: 09/917,228
 Page 2

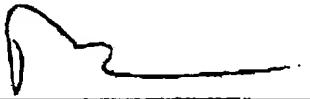
- An assignment document, a copy of which is enclosed herewith;
- An assignment previously recorded in the U.S. Patent and Trademark Office at Reel ___, Frame ___.

Please direct all telephone calls and correspondence to:

COOLEY GODWARD LLP
 ATTN: Patent Group
 Five Palo Alto Square
 3000 El Camino Real
 Palo Alto, CA 94306-2155
 Tel: (650) 843-5000
 Fax: (650) 857-0663

CUSTOMER NUMBER: 23419

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Date: 6/31/01 Signature: 
 Name: Daniel M. Schwartz
 Title: President
 Company: Network Disease Management, Inc.

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UCSF OPHTHALM

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Attorney Docket No: NDIS-002/01US

PATENT

**ASSIGNMENT
(Joint)**

Eric L. SCHWARTZ, residing at 273 Filbert Street, #2, San Francisco, California 94133;
Daniel M. SCHWARTZ, residing at 42 Calhoun Terrace, San Francisco, California 94133;
Christopher M. QUALE, residing at 2656 Mira Vista Dr., Richmond, California 94805
(hereinafter each referred to as "Assignor") have made an invention(s) relating to certain new and useful improvements in:

METHOD AND APPARATUS FOR ANALYZING A PATIENT MEDICAL INFORMATION DATABASE TO IDENTIFY PATIENTS LIKELY TO EXPERIENCE A PROBLEMATIC DISEASE TRANSITION

set forth in an application for Letters Patent of the United States, which is a

non-provisional application

- (a) having an oath or declaration executed on prior to filing of application; or
(b) bearing Application No. 09/917,228, and filed on July 27, 2001; and

WHEREAS, Network Disease Management, Inc., a corporation duly organized under and pursuant to the laws of California, and having its principal place of business at 42 Calhoun Terrace, San Francisco, California 94133 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said invention(s), the right to file applications on said invention(s) and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred, and set over, and by these presents does sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned invention(s), the right to file applications on said invention(s) and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters

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Page 2

Patent or Patents, and all rights under the Paris Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignor had this sale and assignment not been made;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignor is a lawful owner of the entire right, title, and interest in and to the invention(s) set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said invention(s) or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said invention(s) in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent or Patents for said invention(s), without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignor hereby authorizes and requests the attorneys of COOLEY GODWARD L.L.P. to insert in the spaces provided above the filing date, application number, the dates of execution of the oath or declaration, and attorney docket number of said application when known;

AND the Assignor hereby requests the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee, as the Assignee of said invention(s) and the Letters Patent to be issued thereon for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Daniel M Schwartz MD

(415) 514-1488

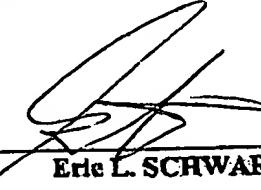
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Rev. 03/25/2001

Attorney Docket No.: NDIS-002/01US
Application Serial No.: 09/917,228
Page 3Date: 11/1/01

By:


Eric L. SCHWARTZDate: 10/31/01

By:


Daniel M. SCHWARTZDate: 11/1/01

By:


Christopher M. QUALE5001 v1/PA
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